

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NICHOLAS MARTIN, on behalf of himself and
others similarly situated,

Plaintiff,

v.

CREDIT PROTECTION ASSOCIATION, LP,

Defendant.

Judge Hibbler

Case 1:11-cv-6828

**EMERGENCY MOTION TO STRIKE EXHIBIT FROM RECORD
AND SUBSTITUTE REDACTED EXHIBIT**

Defendant, CREDIT PROTECTION ASSOCIATION, LP (“defendant” or “CPA”), by its attorneys David M. Schultz and Justin M. Penn, and pursuant to Federal Rule of Civil Procedure 12(c), respectfully requests that this Court strike Exhibit A to its reply in support of its motion for judgment on the pleadings and substitute in its place a redacted version, and in support thereof, states as follows:

1. On January 31, 2012, defendant filed its reply brief in support of its pending motion for judgment on the pleadings. DE #18. Attached as Exhibit A to that reply brief is a subpoena issued by plaintiff, which contains the plaintiff’s address and phone number, as well as the account number for his now closed Comcast account.

2. Defendant did not redact the information related to plaintiff’s address, phone number, and account numbers. Defendant’s error was inadvertent, and defendant requests that Exhibit A to its reply brief (DE #18) be stricken and replaced with the redacted version of that subpoena and authorization, a copy of which is attached hereto as Exhibit 1.

3. None of the information redacted from Exhibit 1 is necessary for the adjudication of defendant’s motion for judgment on the pleadings.

WHEREFORE, defendant, CREDIT PROTECTION ASSOCIATION, LP, respectfully requests this Court strike Exhibit A from Docket Entry No. 18 and replace it with the redacted version of the same document, attached hereto as Exhibit 1, and for any other relief this Court deems fair and just.

Respectfully submitted,

CREDIT PROTECTION ASSOCIATION, LP

By: /s/Justin M. Penn

One of its Attorneys

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CERTIFICATE OF SERVICE

I, an attorney, hereby certify that on January 31, 2012, I electronically filed ***Emergency Motion To Strike Exhibit From Record And Substitute Redacted Exhibit*** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/Justin M. Penn

Justin M. Penn